

Tribal Land Policy Workshop
March 24 2020

from sarah to everyone (12:28 PM)

could you post the call in number again please

from Christina Bustamante to everyone:

Telephone Access: 877-954-0784, passcode: 9545151

from sarah to everyone:

thank you

from Christina Bustamante to everyone:

sure you're welcome

from CPUC AudioVisual to everyone:

To unmute, please press *6 (Star 6) on your keypad

from Mona Tucker to everyone:

Section 3.3.d should be removed from the policy as it has the potential to greatly devalue the benefits of the Land Policy to tribes. Also, it makes the Policy contradictory. This is a Tribal Land Policy that is supposed to give preference to tribes, but 3.3.d leaves tribes nearly defenseless against entities who may seek a variety of uses that could be claimed as a greater "public interest". Please provide an example of what you anticipate as a greater "public interest". Who decides who has the greater claim of "public interest" and how is it decided. Most Calif. tribes cannot afford lengthy and expensive court battles to disprove, or prove "public interest", so we're being set up for failure. 3.3.d should be removed from the Tribal Land Policy.

from CPUC AudioVisual to everyone:

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Star 6 ("*6") to unmute

from Scott Quinn to everyone:

Maybe there should be an "and" after after the first two
semicolon for Section 3.3.

from Scott Quinn to everyone:

for a. and b.

from Jill ZamEk to everyone:

Please show that section on the screen. I don't have the capability of scrolling.

from Scott Quinn to everyone:

correct

from kwoodruff to everyone:

The CPUC has received now dozens of comments from San Luis Obispo, from people who seek to ensure the conservation of the 12,000 acre Diablo Canyon Lands. We've asked that the CPUC require conservation easements on any land transfers away from IOU's, to tribes or otherwise. I'm not hearing that the CPUC is considering these comments. In response you have merely said that conservation easements are not always appropriate -- its more of a "case by case" basis. But that misses the point. There ARE many cases -- such as the Diablo Canyon Lands -- where there are precious ecological and cultural resources worth protecting. What is CPUC going to do, specifically, to ensure that in the implementation of this policy that conservation values are protected? Why not include in your guidelines a provision that requires an analysis of conservation values and a conservation easement where that is appropriate? If the guidelines don't make this a required process, then the land is vulnerable.

from Jill ZamEk to everyone:

I agree with Kara Woodruff!

from Lauren Brown to everyone:

Yes, this policy does start with the presumption that transferring lands to a native tribe is in the public interest. But there may be the rub. It does not at all take into account that such interest may be contrary to important community values,, such as conservation. The reality is that in the U.S. there are now 460 gaming establishments on Indian territory. The greater community could have legitimate concerns that land that they want to see conserved could potentially be turned into an unwelcome casino of heretofore well-preserved lands. Seems that such concerns have been ignored in this policy.

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from Lauren Brown to everyone:

The chats are good because we can see what people are stating as well as hearing it.

from kwoodruff to everyone:

I see section 1.2c. But this leaves the question in the hands of the IOU. They may not wish to bother with this process, nor take the extra time needed to ensure this happens. We are asking CPUC to play a role in ensuring the conservation of precious natural and cultural resources.

to Scott Lathrop (privately):

PRESS STAR SIX TO UNMUTE AND MUTE

from Jill ZamEk to everyone:

I share Lauren Brown's concern.

from kwoodruff to everyone:

I'm hearing from locals that the timeframe and opportunity for comment is still uncertain. Can you please state what we can expect next, how will you tell people about that? Also, will there be a specific public comment period? And will you hold a workshop in San Luis Obispo?

from Scott Quinn to everyone:

gamining on land taken into trust after the Indian Gaming Regulatory Act of 1988 is almost impossible.

from Lauren Brown to everyone:

Thank you.

from Jill ZamEk to everyone:

Leaving decisions to the Commissioners is subjective.

from violet sage walker to everyone:

is there a contact list to keep us infomed for the next meeting

from Scott Lathrop to everyone:

Could you clarify if the IOUs have a deadline to submit Annual report

from sarah to everyone:

i had a question before the break: from sarah to everyone:

could you clarify the comments you were making about quarterly noticing? if you don't know for sure how far in advance any upcoming real property dispositions will be in the annual report, it seems the quarterly could also be useful

from Mona Tucker to everyone:

to: Ms. Green: How many tribes and tribal group have been contacted regarding the CPUC Tribal Land Policy?

from kwoodruff to everyone:

I didn't hear a response to this comment:I see section 1.2c. But this leaves the question in the hands of the IOU. They may not wish to bother with this process, nor take the extra time needed to ensure this happens. We are asking CPUC to play a role in ensuring the conservation of precious natural and cultural resources.

from Stephanie Green to everyone:

We have a tribal database with over 600 contacts and it included all tribes in California.

from sarah to everyone:

does the CPUC have a Tribal Liaison? Can you also provide the link to your Tribal consultation Policy?

from Stephanie Green to everyone:

CPUC tribal Liaison is Stephanie Green,
stephanie.green@cpuc.ca.gov 415-703-5245

from sarah to everyone:

thank you, and your Tribal consultation policy?

from kwoodruff to everyone:

Can you provide precedent for the notion that a transfer of ownership of land will trigger an EIR?

from Stephanie Green to everyone:

<https://www.cpuc.ca.gov/tribal/>

from sarah to everyone:

thank you

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from kwoodruff to everyone:

CEQA will be triggered only AFTER a transfer occurs.

from kwoodruff to everyone:

The point is, we can't rely on CEQA to provide in-perpetuity protection on the Diablo Canyon Lands. We can do that only with a conservation easement.

from Tom to everyone:

explain how " the local governments" rules and regs. apply to a " soveriengn nation"

from Guy Savage to everyone:

Thank you for the commitment to follow up. The County continues to be willing to be the lead CEQA agency as needed.

from kwoodruff to everyone:

Can you confirm that anyone who has sent or will send an email to Stephanie Green will be placed on the contact list for future communications?

from Stephanie Green to everyone:

Yes, you will be added to our contact list for future notices.

from Lauren Brown to everyone:

Do we need to send Stepanie a separate email or does our registration for this workshop suffice?

from Tom to everyone:

chumash casino / santa ynes v santa barbara county

from Mona Tucker to everyone:

CPUC: Thank you for providing this forum and for your work on the Tribal Land Policy.

from Scott Quinn to everyone:

CEQA applies to trbal fee land as far as local jurisdiction over land-use. The feds will conduct a NEPA review if/when the tribe proposes land be accepted into trust by the BIA with the consideration of public comment.

from Stephanie Green to everyone:

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If you did RSVP you are all set, if you did not RSVP please send me an email

from Lauren Brown to everyone:

please repost your email, Stephanie

from Mona Tucker to everyone:

Will the "chat" comments be viewable after the workshop ends?

from Stephanie Green to everyone:

stephanie.green@cpuc.ca.gov

from Scott Quinn to everyone:

CPUC: Yes, thank you for this forum and for approving the policy and drafting the guidelines. This will process will be important for Karuk and the PacificCorp properties.

from CEPA 2 to everyone:

Yes - an excellent proposal and it needs to continue

from sarah to everyone:

chat is easy to copy and paste just fyi